



DFM

## In the United States Patent and Trademark Office

Applicants: Mark E. Foster et al. Docket No.: 20238  
Serial No.: 10/729,408 Group: 3763  
Confirmation No: 9603 Examiner:  
Filed: December 5, 2003  
For: VENTING CATHETER

### Information Disclosure Statement Pursuant to 37 C.F.R. 1.97(c) (1) Before Final Rejection or Notice of Allowance Certification Under 37 C.F.R. 1.97(e)(1) - Items Contained In a Search Report

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.56 and in accordance with 37 C.F.R. 1.97 et seq., Applicants, through and by their attorneys, hereby wish to direct the Examiner's attention to the hereinafter disclosed documents.

By inclusion of any given document in this Information Disclosure Statement, Applicants in no way admit that such document is effective as prior art against the above-identified application under either 35 U.S.C. 102 or 35 U.S.C. 103.

Additionally, submission of any document is not to be taken as an admission of the materiality of the document to the prosecution of the present application.

The Examiner is requested to review each cited document and personally determine its prior art status.

Applicants recommend that the Examiner conduct an independent search for any and all available material prior art and independently review the results of such search and the documents cited within this Statement.

Applicants wish to inform the Examiner that a translation of the cited foreign patent document (DE 9208103U) is being prepared and will be sent upon completion.

Attached is a filled-in modified PTO-1449 form listing all of the documents cited in this Statement. A copy of each non-U.S. Patent document and of each non-patent document listed on the form is also presented herewith for the Examiner's review and convenience. Cited U.S. patents and U.S. patent

application publications are not included in accordance with the U.S. Patent Office waiver of the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003.

In accordance with 37 C.F.R. 1.97(e)(1), the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Applicants request the Examiner, in accordance with 37 C.F.R. 1.97, to indicate and make of record receipt and review of all of these documents by initialing the appropriate box in the accompanying PTO-1449. Applicants request that the undersigned receive a copy of the initialed PTO-1449.

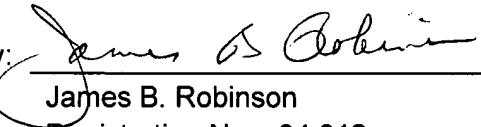
If the Examiner refuses to consider any or all of the herein listed materials because it is the Examiner's opinion that this Information Disclosure Statement is not in compliance with 37 C.F.R. 1.97, Applicants respectfully request that the Examiner notify the undersigned, in writing, as to the basis of such opinion.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: (770) 587-7273.

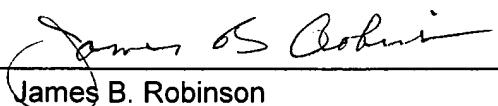
Respectfully submitted,

MARK E. FOSTER ET AL.

By:   
James B. Robinson  
Registration No.: 34,912

CERTIFICATE OF MAILING

I, James B. Robinson, hereby certify that on May 5, 2005 this document is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:   
James B. Robinson



## List of Patents and Publications for Information Disclosure Statement

Applicant(s): Mark E. Foster et al. Docket 20238  
Serial No.: 10/729,408 Group: 3763  
Filed: December 5, 2003 Examiner:

| U.S. PATENT DOCUMENTS    |    |                                  |           |                  |       |          |               |
|--------------------------|----|----------------------------------|-----------|------------------|-------|----------|---------------|
| Initials                 |    | Doc. No.                         | Date      | Name             | Class | Subclass | Filing Date   |
|                          | A1 | 6,447,472                        | 9/10/2002 | Moss             |       |          |               |
|                          | A2 | 2003/0225369                     | 12/4/2003 | McMichael et al. |       |          |               |
|                          | A3 |                                  |           |                  |       |          |               |
| Foreign Patent Documents |    |                                  |           |                  |       |          |               |
| Initials                 |    | Doc. No.                         | Date      | Country          | Class | Subclass | Trans. Yes No |
|                          | A1 | DE 9208103 U                     | 3/4/1993  | DE               |       |          | X             |
|                          | A2 |                                  |           |                  |       |          |               |
| Other Documents          |    |                                  |           |                  |       |          |               |
| Initials                 |    | Author, Title, Date, Pages, etc. |           |                  |       |          |               |
|                          | A1 |                                  |           |                  |       |          |               |
|                          | A2 |                                  |           |                  |       |          |               |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with your next communication.

Examiner:

Date Considered: